

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7110 of 2018**

- Vikas Sona @ Vikky S/o Pradeep Kumar Aged About 25 Years R/o Village Beldih, Chowki Bundeli, P.S. Tendukona, District - Mahasamund, CG

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Chowki Bundeli, P.S. Tendukona, District - Mahasamund, CG

---- Respondent

For applicant	Mr. Raghvendra Pradhan, Adv.
For Respondent/State	Mr. Satish Gupta, GA

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****26-10-2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 56/2018 registered in police chowki Bundeli, P.S. Tendukona, Distt. Mahasamund (CG) for offence punishable under Section 420, IPC.
3. Prosecution story in brief is that complainants Eko Bai Yadav and Tula Bai are resident of Beldih. They received grants to construct houses under Pradhanmantri Awas Yojna. They had given Rs. 96,000/- each to the applicant to construct houses. The applicant partly made construction but did not complete the construction work. The offence is triable by Magistrate.
4. Counsel for the applicant argued that the applicant is innocent and falsely implicated hence he be released on bail.
5. On the other hand, the Govt. Adv. appearing for the State opposed the bail application. He submits that no criminal antecedent of the applicant is reported in the police case diary.
6. Looking to the above facts and circumstances of the case, looking to the facts that there is no likelihood of the accused to abscond and tamper the evidence, this Court is inclined to give benefit of Section 439 of the Cr.P.C. to the applicant. Consequently, the application is allowed. It is ordered that if the applicant furnishes two solvent

sureties for a sum of Rs. 50,000/- each along with one personal bond of Rs. 1 lac to the satisfaction of the trial Court concerned with the condition that he will appear before the concerned trial Court at 11 AM as and when directed till trial and will not commit any offence in future, he be released on bail.

7. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge